MEMO ENDORSED



THE CITY OF NEW YORK LAW DEPARTMENT 100 CHURCH STREET

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March 7, 2022

BY ECF

HON. SYLVIA HINDS-RADIX

Corporation Counsel

Hon. Edgardo Ramos United States District Court Southern District of New York 40 Foley Square New York, New York 10007 The application is X granted denied

Edgardo Ramos, U.S.D.J. Dated:March 7, 2022

New York, New York 10007

Re: Nunzio Calce et al. v. City of New York et al. 21-CV-08208 (ER)

Your Honor:

I am an attorney in the office the Hon. Sylvia Hinds-Radix, Corporation Counsel of the City of New York, counsel for defendants in the above-referenced action. In accordance with Your Honor's Individual Rules, I respectfully request that defendants' time to answer or otherwise respond to the Complaint be extended forty-five (45) days, from March 8, 2022 to April 22, 2022. Plaintiffs' counsel kindly consents to this request.

In this action plaintiffs seeks to invalidate New York State Penal Law ("Penal Law") § 265.01(1) and New York City Administrative Code ("Admin. Code") § 10-135, which, inter alia, prohibit the possession of stun guns and electric dart guns (tasers) in New York State and New York City. Plaintiffs claim that Penal Law § 265.01(1) and Admin. Code § 10-135 which makes the possession of stun guns and tasers illegal, violate plaintiffs' rights to carry weapons under the Second Amendment of the U.S. Constitution.

In order to respond to the Complaint, the City must gather and review agency documents and confer with relevant employees and officials of the City. Thus, in keeping with this Office's obligations under Rule 11 of the Federal Rules of Civil Procedure, defendants need additional time to investigate the allegations set forth in the Complaint.

This is the defendants' first request for an extension of time to answer or otherwise respond to the Complaint and counsel for plaintiffs consents to this extension. Accordingly, defendants respectfully request that their time to answer or otherwise respond to the Complaint be extended to April 22, 2022. This request will not impact any scheduled dates.

Thank you for your consideration of this request.

Respectfully submitted,

/s/ Samantha Schonfeld

Samantha Schonfeld Assistant Corporation Counsel

cc: All Counsel (via ECF)